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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,766	03/06/2001	Andrew Hanson	51026.P009	3902
321	7590	09/09/2004	EXAMINER	
SENNIGER POWERS LEAVITT AND ROEDEL			DINH, KHANH Q	
ONE METROPOLITAN SQUARE			ART UNIT	PAPER NUMBER
16TH FLOOR			2151	
ST LOUIS, MO 63102				

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/800,766	HANSON ET AL.
	Examiner	Art Unit
	Khanh Dinh	2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 May 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-29 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 July 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/16/01, 5/5/04</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-29 are presented for examination.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
3. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)),

and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).
"Microfiche Appendices" were accepted by the Office until March 1, 2001.)

(e) BACKGROUND OF THE INVENTION.

- (1) Field of the Invention.
- (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(f) BRIEF SUMMARY OF THE INVENTION.

(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(h) DETAILED DESCRIPTION OF THE INVENTION.

- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

- In the instant application, the "summary of invention" is missing. Correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3-16 and 18-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Bailey et al (hereafter Bailey), U.S. Pat. No.6,785,671.

As to claim 1, Bailey discloses a method comprising:

receiving a locator of a network resource (product information) [i.e., users' requests for product information through a web server, see fig.1, col.4 lines 29-48].
determining if a database (databases 141-147 fig.1) already contains stored information derived from the network resource at a previous point in time [using query server (140 fig.1) to find matching items in response to the search with a hypertext link to web pages], effectively freezing the network resource to the previous point in time [implementing a web crawler (160 fig.1) that crawls web sites on the Internet while storing copies of located web pages, see col.5 line 46 to col.6 line 14 and col.7 lines 21-26].

upon determination that the database (databases 141-147 fig.1) does not contain stored information derived from the network resource at the previous point in time (if the search fails to find a single matching item), storing information derived from the network resource pointed to by the locator of the network resource (using spell checker to find misspellings in the query terms in the web server), the process of storing comprising a step of creating a copy (a new query) of at least a portion of the network resource (creating a new term with a modified query and resubmit the new query to the server) pointed to by the locator, and writing the copy to the database (databases 141-147 fig.1) (see col.7 lines 27-63 and col.8 lines 4-54).

As to claim 3, Bailey discloses generating meta information from the copy (notifying the modification made to the query to the query server, see col.7 lines 35-63 and col.10 lines 16-59).

As to claim 4, Bailey discloses that the generating meta information involves extracting information from the network resource (generating a search results from databases, see fig.3, col.7 line 52 to col.8 line 48).

As to claim 5, Bailey discloses that the generating meta information involves

deriving information from the network resource (displaying result items associated with the web site and the databases in response to the query, see fig.3, col.8 lines 4-54 and col.9 lines 5-37).

As to claim 6, Bailey discloses that the meta information comprises one or more of a file name, a uniform resource locator (URL), a file format, and a language (displaying URL associated with the search result, see fig.4, col.10 lines 16-59 and col.11 lines 13-51).

As to claim 7, Bailey discloses that the storing the information further comprises writing the generated meta information to the database (Product Spider database 147 of fig.1) (storing rating information to the Product Spider database, see col.10 lines 11-60).

As to claim 8, Bailey discloses receiving instructions to modify the generated meta information and modifying the generated meta information in accordance with the received instructions to generate modified meta information (notifying user of the absence of the exact matches and also informing the close match results, see col.7 line 42 to col.8 line 48).

As to claim 9, Bailey discloses that storing the information further comprises writing the modified meta information to the database (applying the query to the databases

corresponding to the search scope by the user, see col.7 lines 42-63 and col.8 lines 4-54).

As to claim 10, Bailey discloses that the storing the information further comprises modifying references to objects within the information to reflect the new location of referenced objects (displaying a search results page of the Amazon web site including hypertext links with corresponding access categories) as being stored in the database (see fig.3, col.7 line 64 to col.8 line 54 and col.10 lines 16-59).

As to claim 11, Bailey discloses sending the copied information to a generic user agent (162 fig.1) [sending information within the web page to the product score generator (162 fig.1), see fig.1, col.6 lines 3-64).

As to claim 12, Bailey discloses that the network resource comprises one or more world wide web pages (collection of web page as a search's result, see col.6 lines 3-64 and col.8 lines 4-49).

As to claim 13, Bailey discloses the one or more world wide web pages comprises a main frame (220 fig.2) and one or more sub-frames (210 fig.2) (see fig.2, col.6 line 65 to col.7 line 63).

As to claim 14, Bailey discloses the main frame and one or more sub-frames are stored as a single file (see figs. 3, 4, col.8 lines 4-48 and col.10 lines 16-59).

As to claim 15, Bailey discloses an apparatus comprising:

a storage medium having stored therein a plurality of programming instructions designed to:

receive a locator of a network resource (product information) [i.e., users' requests for product information through a web server, see fig.1, col.4 lines 29-48].

determine if a database (databases 141-147 fig.1) already contains stored information derived from the network resource at a previous point in time [using query server (140 fig.1) to find matching items in response to the search with a hypertext link to web pages], effectively freezing the network resource to the previous point in time [implementing a web crawler (160 fig.1) that crawls web sites on the Internet while storing copies of located web pages, see col.5 line 46 to col.6 line 14 and col.7 lines 21-26].

upon determination that the database (databases 141-147 fig.1) does not contain stored information derived from the network resource at the previous point in time (if the search fails to find a single matching item), storing information derived from the network resource pointed to by the locator of the network resource (using spell checker to find misspellings in the query terms in the web server), the process of storing comprising a step of creating a copy (a new query) of at least a portion of the network resource (creating a new term with a modified query and resubmit the new query to the

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server) pointed to by the locator, and writing the copy to the database (databases 141-147 fig.1) and a processor (140 fig.1) coupled to the storage medium to execute the programming instructions (see col.7 lines 27-63 and col.8 lines 4-54).

As to claim 16, Bailey discloses the database (141-146 fig.1) resides on a separate machine from the processor (140 fig.1) (see fig.1, col.5 lines 3-44).

As to claim 18, Bailey discloses that the generating meta information involves deriving information from the network resource (displaying result items associated with the web site and the databases in response to the query, see fig.3, col.8 lines 4-54 and col.9 lines 5-37).

As to claim 19, Bailey discloses that the generating meta information involves extracting information from the network resource (generating a search results from databases, see fig.3, col.7 line 52 to col.8 line 48).

As to claim 20, Bailey discloses that the generating meta information involves deriving information from the network resource (displaying result items associated with the web site and the databases in response to the query, see fig.3, col.8 lines 4-54 and col.9 lines 5-37).

As to claim 21, Bailey discloses that the meta information comprises one or more of

a file name, a uniform resource locator (URL), a file format, and a language (displaying URL associated with the search result, see fig.4, col.10 lines 16-59 and col.11 lines 13-51).

As to claim 22, Bailey discloses that the storing the information further comprises writing the generated meta information to the database (Product Spider database 147 of fig.1) (storing rating information to the Product Spider database, see col.10 lines 11-60).

As to claim 23, Bailey discloses receiving instructions to modify the generated meta information and modifying the generated meta information in accordance with the received instructions to generate modified meta information (notifying user of the absence of the exact matches and also informing the close match results, see col.7 line 42 to col.8 line 48).

As to claim 24, Bailey discloses that storing the information further comprises writing the modified meta information to the database (applying the query to the databases corresponding to the search scope by the user, see col.7 lines 42-63 and col.8 lines 4-54).

As to claim 25, Bailey discloses that the storing the information further comprises modifying references to objects within the information to reflect the new location

of referenced objects (displaying a search results page of the Amazon web site including hypertext links with corresponding access categories) as being stored in the database (see fig.3, col.7 line 64 to col.8 line 54 and col.10 lines 16-59).

As to claim 26, Bailey discloses sending the copied information to a generic user agent (162 fig.1) [sending information within the web page to the product score generator (162 fig.1), see fig.1, col.6 lines 3-64).

As to claim 27, Bailey discloses that the network resource comprises one or more world wide web pages (collection of web page as a search's result, see col.6 lines 3-64 and col.8 lines 4-49).

As to claim 28, Bailey discloses the one or more world wide web pages comprises a main frame (220 fig.2) and one or more sub-frames (210 fig.2) (see fig.2, col.6 line 65 to col.7 line 63).

As to claim 29, Bailey discloses the main frame and one or more sub-frames are stored as a single file (see figs. 3, 4, col.8 lines 4-48 and col.10 lines 16-59).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 2 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey in view of Hoffert et al. (hereafter Hoffert), U.S. pat. No.6,370,543.

As to claim 2, Bailey's teaching still applied as in item 5 above. Bailey suggests using a modified search and additional matches section to facilitate viewing the results (see col.2 lines 24-44 and col.9 lines 11-46). Bailey does not specifically disclose compressing the copy prior to writing the copy. However, Hoffert discloses compressing the copy prior to writing the copy (providing a compression algorithm to the reconstructed pictures/media data in returning search results from a user/s multimedia query to a database, see col.22 line 30 to col.23 line 45). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Hoffert into the computer system of Bailey to provide information to users because it would have produced a low bandwidth image preview and thus allowed

users to rapidly scan a page of visual reach results to find their desired information (see Hoffert's col.22 lines 45-61 and col.24 lines 1-11).

As to claim 17, Bailey's teaching still applied as in item 5 above. Bailey suggests using a modified search and additional matches section to facilitate viewing the results (see col.2 lines 24-44 and col.9 lines 11-46). Bailey does not specifically disclose compressing the copy prior to writing the copy. However, Hoffert discloses compressing the copy prior to writing the copy (providing a compression algorithm to the reconstructed pictures/media data in returning search results from a user/s multimedia query to a database, see col.22 line 30 to col.23 line 45). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Hoffert into the computer system of Bailey to provide information to users because it would have produced a low bandwidth image preview and thus allowed users to rapidly scan a page of visual reach results to find their desired information (see Hoffert's col.22 lines 45-61 and col.24 lines 1-11).

Other prior art cited

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Lejeune et al, US pat. No.6,101,527: Managing and processing object transactions in a network of distributed resources.

- b. Stupek Jr. et al., US pat. No.6,526,442: Managing devices participating in a network including a collection of notices.
- c. Dillon et al, US pat. No. 6,658,463: Enhancing the performance of multicast HTTP proxy.
- d. Eyal et al., U.S. Pat. No.6,721,741: Streaming data content search and play back over a network.

Conclusion

- 7. Claims 1-29 are *rejected*.
- 8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (703) 308-6687. The fax phone number for this group is (703) 872-9306.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to response within the period for response will cause the application to become abandoned (35 U. S. C . Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.



Khanh Dinh
Patent Examiner
Art Unit 2151
9/5/2004